

1 A I don't have a -- Yeah.

2 Q The Help Forgotten Disabled Americans is located at
3 12020 Hickory West, Utica, Michigan?

4 A Yeah, I changed it. Yes.

5 Q Okay. And I'm still not getting it. How do you get
6 four hundred and fifty dollars a month to pay this
7 rent? Where's the money come from?

8 A Friends. Relations.

9 Q Your friends give you money to pay rent?

10 A Yeah.

11 Q What are your friends' names and how much are they
12 giving you?

13 A My friends names?

14 Q Right. Do you keep a log or a list --

15 A No.

16 Q -- of who gives you money and how much?

17 A No.

18 Q Is there a single -- Strike that. Is there a major
19 benefactor that gives you money?

20 A No.

21 Q So who gives you money?

22 A My friends.

23 Q Okay. Give me some of their names.

24 A Well, there's Pete.

25 Q Pete. What's Pete's -- I need Pete's full name and

1 telephone number.

2 A Well, I'd have to look in my phone.

3 Q Okay. Would you do that for us, please.

4 A Peter J. Lucido.

5 Q Peter J. Lucido.

6 A Yeah.

7 Q The attorney.

8 A Yep. 206 --

9 Q Well, I know who he is. How much money has he given
10 you?

11 A Not much.

12 Q How much is not much?

13 A Twenty/thirty/forty bucks here and there.

14 Q Okay. And that goes towards rent?

15 A It goes towards my living expenses.

16 Q Okay. Well, do you keep track -- Have you kept
17 track on how much money Mr. Lucido's given you?

18 A Yeah, on my mind. I mean --

19 Q How much do you think he's --

20 A It's less than a hundred dollars.

21 Q Okay. Who else has given you money?

22 A Jack Toco.

23 Q Chad Toco.

24 A Jack.

25 Q Jack Toco. And do you have a telephone number for

1 Jack?

2 A Yes. I mean Joe Toco. I'm sorry.

3 Q Joe Toco. Okay. Oh, why don't we do this, Victor.

4 Why don't you get a list of all the people that have

5 given you money to help pay your rent and living

6 expenses. Get their names, addresses and telephone

7 numbers and give those to Mr. McQueeney within say

8 seven days. Is that fair?

9 A Yeah, that's fair.

10 Q Okay. Why don't you do that then and that will save

11 us a little time.

12 A Okay.

13 Q You pay four-fifty a month in rent and then what

14 other living expenses do you have?

15 A That's it.

16 Q Do you have a car?

17 A It's paid for.

18 Q By whom?

19 A By whom?

20 Q Yes.

21 A Well, it was on my mother's name. She passed way

22 and I put it on my name. It was donated actually

23 before she passed away. I'm sorry.

24 Q Donated to what?

25 A To my charity.

1 Q Okay. But you gotta put gas and oil in the car and
2 whatnot; don't you?

3 A Yeah.

4 Q How do you pay for that?

5 A Well, I had some money from the insurance.

6 Q Okay. How much money did you get from insurance?
7 Upon your mother's death?

8 A Yeah, thirty thousand.

9 Q Okay. And how much of that is left?

10 A Zero.

11 Q Where did all the money go?

12 A Towards expenses.

13 Q Of.

14 A Bills and just expenses.

15 Q Did the house --

16 A Funeral costs. That ran twelve thousand dollars.

17 Q What happened to the house on Penny Drive?

18 A I couldn't sell it and I couldn't live there no more
19 'cause of what happened and I gave it back to the
20 bank. I only owed forty-five thousand on the house.
21 So I didn't -- never transferred it over to my name.

22 Q What do you mean you couldn't live there because of
23 what happened?

24 A I couldn't live there no more.

25 Q 'Cause your mom died and it was your mom's house?

1 A I couldn't live there no more because of the
2 incident that happened October 30. It kept
3 reminding me.

4 Q Okay. There were three vehicles that you said that
5 were associated with you and your mom; is that
6 correct?

7 A Correct.

8 Q Were those vehicles in your name or your mom's name?

9 A None of them was on my name.

10 Q Was that the pickup truck?

11 A No, that was the Suburban.

12 Q The Suburban was in -- And what vehicle did you take
13 to P.F. Chang's?

14 A The pickup truck.

15 Q Okay. And who maintained those three vehicles, gas,
16 oil, upkeep?

17 A I did.

18 Q And that was just your mom's money?

19 A With my money. I had some money saved up from
20 working.

21 Q For your company.

22 A For my company from working.

23 Q How long was your company in business again?

24 A Well, that -- I've been in business since 1996, May
25 1.

1 Q And the name of that company was.

2 A VMG Masonry.

3 Q Okay. And where was that at?

4 A And then I had Victory Masonry filed and then there
5 was one more. Posada Industries I also had.

6 MS. McGRAIL BELAU: How do you spell that?

7 THE WITNESS: P-o-s-a-d-a.

8 BY MR. PEACOCK:

9 Q Now, were all those companies in existence at the
10 same time or were they successor companies?

11 A They were successor. At different times.

12 Q Okay.

13 A But they were all my construction companies since
14 1996.

15 Q Did you file income tax returns as a result of the
16 corporate business?

17 A Some years I did. Some years I didn't. Depending
18 on how much I made.

19 Q Well, you still have to file your tax returns. You
20 understand that; don't you?

21 A Well, I was told that under seven thousand you don't
22 have to.

23 Q Who told you that?

24 A This guy Ray. He's a tax.

25 Q Is he a CPA?

1 A Yeah.

2 Q In answers to interrogatories you have indicated
3 that you don't have tax returns for the past five
4 years.

5 A Right, I haven't worked since '96 or '97. I don't
6 remember.

7 Q Okay. That's when you became disabled?

8 A Yes.

9 Q And that's because of your back?

10 A Yes.

11 Q And that's when Noto slammed the garage door on you?

12 A Yes.

13 Q Are you -- I'm sorry. Go ahead.

14 A I had back injuries from 2003. I fell off a roof,
15 but I went back to work.

16 Q You looked at that tape that was outside your house;
17 is that correct?

18 A Correct.

19 Q And in that tape your mom says to the officers that
20 you got beat up at work. Is that the instance that
21 we're talking about where the garage door was
22 slammed on you?

23 A Yes.

24 Q Okay. Were you ever beat up at work by the Notos or
25 anybody else, other than that one time?

1 A At work?

2 Q Right.

3 A Never.

4 Q Okay. Were you beat up by the Notos or anybody else
5 outside of work?

6 A By my neighbor.

7 Q Is that Brian Adams?

8 A Yes.

9 Q Okay. What did Brian Adams do to you?

10 A He punched me numerous times in the face. He came
11 on my property at three o'clock in the morning.

12 Q Was this on a single date? One time?

13 A Single time, yeah.

14 Q And how many times did he strike your face?

15 A Oh, probably, six/seven times.

16 Q Did you call the police?

17 A Yes.

18 Q Okay. Did you prosecute him?

19 A Yes.

20 Q Okay. What happened to him?

21 A He pled guilty.

22 Q Okay. Did he go to jail?

23 A For that night. He was on probation. I guess
24 reporting probation for 18 months.

25 Q Now, you testified that you lived in the Penny Drive

1 residence for 22 years.

2 A Yes.

3 Q When did you put the cameras in?

4 A When Brian moved in.

5 Q When was that?

6 A Two thousand six.

7 Q And why did you put them in in 2006?

8 A 'Cause he was an obnoxious partier.

9 Q Well, why do you have cameras in your house?

10 A Because I was afraid he was going to do something to
11 my premises.

12 Q Did he --

13 A For protection.

14 Q Did he indicate that he was going to do that?

15 A Yes.

16 Q What did he say or do?

17 A He would threaten me with -- He just talked garbage
18 to me. You know, he'd be snobby and everything.
19 He's 21-years-old. He's got his own house. He had
20 all his friends over every day.

21 Q Victor, what did Brian Adams say to you that you
22 perceived as a threat?

23 A That I perceived as a threat?

24 Q Right.

25 A He said numerous -- a number of things like I'm

1 gonna -- I'm gonna follow you around. You're not
2 gonna be able to work no more. I'm going to screw
3 up your jobs. I'm gonna screw you up. All sorts of
4 -- All sorts of disgusting things.

5 Q Well, tell me what he said. What did he say?

6 A He says --

7 Q And don't hold back because there's two nice ladies
8 in this room. I'll guaranty you these two ladies
9 have probably heard more things than you and I can
10 ever think of saying so.

11 MS. McGRAIL BELAU: Said more.

12 BY MR. PEACOCK:

13 Q And one may have said more.

14 A He called -- He said you fuckin ginny. You're an
15 oily haired ginny piece of shit. What the hell you
16 doing living on my street. Piece of garbage. I
17 don't like you. I don't like your kind.

18 Q Victor, when Brian Adams would say these things to
19 you or threaten you, did you call the police about
20 this?

21 A I did at first.

22 Q And what happened as a result of those calls?

23 A Nothing.

24 Q Did the police come out to your house?

25 A Yes.

1 Q Did they go and talk to Mr. Adams?

2 A Yes.

3 Q Okay. But they continued; is that correct?

4 A Right.

5 Q And did you stop calling the Sterling Heights Police

6 Department because Mr. Adams continued to do it

7 despite the fact that the Sterling Heights Police

8 Department instructed him not to do it?

9 A Well --

10 MR. McQUEENEY: I'm going to object to the

11 form of the question. He doesn't know what the --

12 unless he was present he couldn't know what the

13 Sterling Heights Police told Brian Adams.

14 BY MR. PEACOCK:

15 Q Did the Sterling Heights Police Department indicate

16 to you what they told Mr. Adams?

17 A No.

18 Q Did you ever ask them?

19 A No.

20 Q Why?

21 A Because I wanted to stay in my house. I didn't want

22 to go outside.

23 Q How big is Mr. Adams?

24 A He's 6/2.

25 Q Muscular guy?

1 A A little bit, yeah. He's muscular with the
2 construction.

3 Q Would it be fair to say that you were afraid of him?

4 A Yeah, with my back injuries the way I had them, I'm
5 afraid of him, yes.

6 Q Did you ever call the Macomb County Sheriff's
7 Department relative to Mr. Adams?

8 A No, not that I can recall.

9 Q Okay. And you ultimately lost the house and gave it
10 back to the bank, correct?

11 A I couldn't sell it. So I gave it back to the bank.
12 I couldn't live there no more.

13 Q And when did that happen?

14 A November 9 of 2009. Three months ago.

15 Q Okay. And that's when you moved in with Andrea
16 Piccolo, right?

17 A Yeah. Yes.

18 Q How do you know Andrea Piccolo?

19 A From Dooley's Bar and Grill on Hall Road.

20 Q Does she work up there?

21 A No, she's a customer.

22 Q Okay. And you're a customer there?

23 A Yes.

24 Q Do you still go there?

25 A Yes.

1 Q Now, on October 29, 2007 you went to P.F. Chang's
2 with Paul Lutori, correct?

3 A No.

4 Q No.

5 A I seen him up there.

6 Q Oh, you met him up there.

7 A No, I seen him up there. I ran into him up there.

8 Q Okay. And that's --

9 A I didn't go up there with him.

10 Q Okay. That's at the new mall, Partridge Creek?

11 A Yes.

12 Q So you went up to Partridge Creek for what reason?

13 A Just to socialize.

14 Q Do you usually go to the mall to socialize?

15 A Yes, I used to go everywhere to socialize before.

16 Q Now, when you go to the mall to socialize, what
17 would you do? Would you just walk around and see if
18 there's people that you knew?

19 A Yeah.

20 Q Okay. So you see Paul Lutori at the mall, correct?

21 A Correct.

22 Q And did you invite him to dinner?

23 A No, he was sitting at the bar.

24 Q So you saw him at P.F. Chang's.

25 A Yes.

1 Q Okay. So you go and you sit at the bar and sit next
2 to Paul?

3 A Yes.

4 Q How long have you known Paul at this time on October
5 29, 2007?

6 A A few years.

7 Q So did you have the mission to go to P.F. Chang's
8 and have dinner too?

9 A Not really.

10 Q Sometime while you were at the mall you decided to
11 have dinner at P.F. Chang's?

12 A That didn't -- No.

13 Q Well, you said the meal that was ordered was yours.

14 A I did order after. I mean you're talking about
15 right when I got there, right? Isn't that what
16 you're asking me?

17 Q No. While you were at the mall you made a decision
18 I'm going to have some dinner, correct?

19 A When I was at P.F. Chang's I made the decision then.

20 Q Okay. And did Paul want to eat too, do you know?

21 A Sure. Yeah.

22 Q Okay. Did Paul order anything?

23 A I don't remember.

24 Q But you ordered some food, correct?

25 A Yeah, I ordered some food. I had the appetizer.

1 Q You ate the appetizer. Did you have any drinks?

2 A I had one drink and I bought Paul a beer.

3 Q Okay.

4 A He had a beer and I bought it.

5 Q All right. And then you ordered your dinner or a
6 meal, correct?

7 A I ordered a meal, but I didn't eat the meal. Paul -
8 -

9 Q Why didn't you eat the meal?

10 A 'Cause I wanted to leave. I seen --

11 Q The Notos. You said you saw the Notos, right?

12 A Yeah.

13 Q Okay. And you get up and you start to leave,
14 correct?

15 A Yes.

16 Q And did the waiter ask you what you were doing?

17 A No.

18 Q Did you volunteer to the waiter that you were going
19 out to your car to get your wallet?

20 A Yes.

21 Q Okay. Was Paul walking out with you at the same
22 time?

23 A No.

24 Q Paul was still sitting at the bar?

25 A Yes.

1 Q So you walk out to your car to go get your wallet,
2 correct?

3 A Yes.

4 Q The waiter's with you; isn't that correct? Doesn't
5 he walk out with you?

6 A He walked out to the door right there, yes.

7 Q Did he walk out to your car or just to the door?

8 A To the car, actually.

9 Q Okay. And you got in your car.

10 A Yeah, to the car.

11 Q And you got in your vehicle and you just took off.

12 A It wasn't the waiter though. It was some guy in
13 regular clothes.

14 Q Okay. So --

15 A I didn't know who it was.

16 Q Okay. But --

17 A I didn't know who it was.

18 Q Okay. But it was somebody from the restaurant.

19 A I don't know if he worked at the restaurant or what.

20 I seen the Notos and I fled. I wanted to leave.

21 Q Well, I'm not talking about that right now.

22 A All right.

23 Q You tell the waiter you're going out to your car to
24 get your wallet, correct?

25 A Yes.

1 Q And somebody walks out there with you; don't they?

2 A Yes.

3 Q Somebody from the restaurant.

4 A I don't know.

5 Q Did you say anything to the person who was walking
6 out with you?

7 A No.

8 Q You just let this guy walk with you and go to your
9 car?

10 A He wasn't walking with me. He was behind me.

11 Q Was he talking to you?

12 A No.

13 Q Okay. So you get in your car and you just decide to
14 take off.

15 A Yeah, because I told Paul to pay the bill.

16 Q When did you tell that to Paul?

17 A Before I got up.

18 Q Okay. So you're sitting at the bar. You see the
19 Notos. You say, Paul, pay the bill. I'm out of
20 here.

21 A Yes.

22 Q Something like that, right?

23 A Something like that.

24 Q What did Paul say?

25 A Sure. He went like this.

1 Q Why did you tell the waiter then that you were going
2 to your car to get your wallet?

3 A I don't know.

4 Q Why didn't you tell the waiter that Paul was paying
5 the bill?

6 A I don't know. I don't know why I said that.

7 Q But that wasn't true, was it? You weren't going to
8 your car to get your wallet.

9 A Well, I was. My wallet was in the car.

10 Q Were you going to your car to get your wallet to pay
11 for the dinner?

12 A No.

13 Q Okay. Well, isn't that what you told the waiter,
14 you had to go to the car to get your wallet to pay
15 for dinner?

16 A Yeah, and then I told Paul to pay for it.

17 Q Okay. So what you told the waiter was untrue.

18 A No.

19 Q Well, then why didn't you come back in and pay for
20 dinner?

21 A 'Cause I told Paul to pay for dinner.

22 Q No. No. No. You tell the waiter you're going out
23 to your car to get your wallet to pay for dinner and
24 you say that's true, correct?

25 A Yes.

1 Q Why didn't you come back and pay for dinner?

2 A 'Cause I told Paul to pay for dinner after that.

3 Q Oh, you told Paul after that.

4 A Yeah, and then I got up and left.

5 Q Okay. So you tell your waiter -- Did you ever tell
6 your waiter that Paul's paying for dinner?

7 A No.

8 Q Why?

9 A I wanted to get out of there. I seen the Notos.
10 This was like --

11 Q Well, Paul's paying for dinner. That doesn't take a
12 lot of --

13 A It happened like this, I said Paul, you eat dinner.
14 You have the dinner. You have the dinner and pay
15 for it.

16 Q Did you pay for Paul's --

17 A 'Cause I left the wallet in the car.

18 Q Did you pay for Paul's beer with cash?

19 A No, that was on the --

20 Q How did you pay for it if your wallet was in the
21 car?

22 A I didn't pay for it.

23 Q You just told the server --

24 A It was on the tab. On my tab.

25 Q Okay.

1 A I had it on my tab. On the tab.

2 Q And Paul didn't give you any money; did he?

3 A No.

4 Q And Paul's response to you the next day was so,
5 correct?

6 A Yes.

7 Q Okay.

8 A I didn't want to come back to P.F. Chang's inside
9 'cause of the Notos.

10 Q Why, the Notos would have --

11 A That's why I was leaving.

12 Q Do the Notos hang out at P.F. Chang's?

13 A I don't know.

14 MR. McQUEENEY: Objection as to the form of
15 the question.

16 BY MR. PEACOCK:

17 Q If you know.

18 A I don't know.

19 Q Okay. Do you have a driver's license right now?

20 A Yes.

21 Q Can I see it, please. This is a CDL; is that
22 correct?

23 A Correct.

24 Q It expires November 10. When did you get this back?
25 When did you get this license?

1 A When did I get my license back?

2 Q Yeah, wasn't your license suspended as a result of
3 the OWI in 2000?

4 A Yeah.

5 Q How long was it suspended for?

6 A Well, because I got caught driving on a suspended,
7 they suspended it longer. I think I got it back --
8 My full license?

9 Q Right.

10 A 'Cause they gave me a restricted back. My full
11 license I think I got it back in 2003.

12 Q Was there a period of time --

13 A Or 2004.

14 Q How long was your license suspended for?

15 A Well, for a year and a half or two years.

16 Q Okay.

17 A And then they gave me a restricted license after
18 that with a blowing machine in my vehicle.

19 Q Okay.

20 A And I had that for a year and then it still was
21 restricted after that but without the blowing
22 machine and then finally they gave me my full
23 license.

24 Q And you haven't gone to get your license address
25 changed; have you?

1 A Not yet because it's not going to be a permanent
2 address for me.

3 Q How long are you going to live there?

4 A Probably, until my lease is up on March 7 'cause
5 it's a month to month lease.

6 Q Where are you going to go?

7 A I don't know yet.

8 Q Did you start looking?

9 A I kind of, yeah, been looking on Craig's list.

10 Q Now, Clinton Township Officer Melise arrives at your
11 house, correct?

12 A Correct.

13 Q And did you see him at all before you woke up -- I
14 mean before he was knocking on the door, which I
15 presume you woke up to?

16 A I woke up to him knocking on the door. I didn't see
17 him before that.

18 Q And you said the video -- Well, strike that. Your
19 lawyer seemed to indicate that the scene -- when the
20 Clinton Township officer arrives was about an hour
21 and a half into the video; is that correct?

22 A I don't -- I don't know how far into it it was.

23 Q Well, have you looked at the video?

24 A Yes, I've looked at it.

25 Q When was the last time you looked at the video?

1 A Maybe six months ago.

2 Q How many times have you looked at the video?

3 A Probably, four times.

4 Q Okay. And did you do any timing of it when --

5 A No.

6 Q -- this instance starts? I'm sorry.

7 A No, I haven't.

8 Q So you said Melise arrives at your house and he's
9 there for a half an hour pounding on the door; is
10 that correct?

11 A Yes.

12 Q And that's what woke you up.

13 A Yes.

14 Q And then after a half an hour the Sterling Heights
15 P.D. arrives, correct?

16 A Yeah.

17 Q Okay.

18 A It didn't take them a half an hour.

19 Q Well, I didn't say that.

20 A Okay.

21 Q I said after Melise is pounding on the door,
22 according to you, for a half an hour, then your mom
23 calls the Sterling Heights P.D. and then they
24 arrive, correct?

25 A Correct.

1 Q At any time during this half hour time frame, did
2 Clinton Township Officer Melise ever show his badge
3 into the camera?

4 A Correct.

5 Q How many times?

6 A I don't know. I don't know.

7 Q Do you know if your mother believed it was a real
8 police officer?

9 A I didn't know if he was or not.

10 Q No. No. I didn't ask you that. I said do you know
11 if your mom believed it was a real police officer.

12 A No, she didn't. She did not.

13 Q She did not believe it was a real police officer?

14 A She did not.

15 Q Did she tell you that?

16 A Yes.

17 Q When did she tell you that?

18 A When she seen the badge. She said you don't look
19 like a cop.

20 Q Okay. Because why? Did she tell you?

21 A Yeah, 'cause he was not in uniform. The car he was
22 driving wasn't a police vehicle.

23 Q Okay. And then the Sterling Heights Police
24 Department -- But according to you Melise keeps
25 pounding on the door; is that correct?

1 A Correct. Yes.

2 Q And the video we have has not been spliced, changed,
3 edited or anything; is that correct?

4 A That's correct.

5 Q Okay. So the time frame we have on that tape is the
6 total time frame from the beginning to when the
7 Sterling Heights officers and Clinton Township
8 Melise go into the house; is that correct?

9 A Correct.

10 Q No changes in time, right?

11 A No changes.

12 Q Okay. You said your mother didn't want you to go to
13 the door; is that correct?

14 A Correct.

15 Q Do you know why your mother didn't want you to go to
16 the door?

17 A Yeah.

18 Q Why?

19 A She said they looked like they wanted to cause
20 trouble for me.

21 Q Why did they -- Do you know why she said they wanted
22 to cause trouble for you?

23 A I don't know why.

24 Q Were you in trouble?

25 A No.

1 Q Had you committed some crime --

2 A No.

3 Q -- prior to -- Let me finish. Prior to their
4 arrival and you told your mom about it and she was
5 concerned.

6 A No.

7 Q Okay. Then why would she be concerned that they
8 were going to cause trouble for you, if you know?

9 A 'Cause of the way they were acting so hostile.

10 Q Okay.

11 A And he was pounding on the door for a half an hour
12 like an animal.

13 Q Like an animal. What kind of animal?

14 A Like a gorilla.

15 Q Like a gorilla. And the whole time he was asking
16 for you; wasn't he? He wanted to see you.

17 A I believe so.

18 Q Okay. And your mom was getting agitated? Getting
19 ticked there.

20 A Yes.

21 Q Becoming stressful.

22 A Yes.

23 Q Okay. 'Cause you said she was your mother, father
24 and best friend. So you'd know if her emotional
25 state changed; wouldn't you?

1 A Know what?

2 Q You would know if her emotional state changed.

3 A Yes. Yes, definitely.

4 Q And so she was becoming stressful.

5 A Yes.

6 Q Aggravated.

7 A Yes.

8 Q And that could have all been alleviated if you would
9 have gone to the door; don't you think?

10 A Yeah.

11 Q Well, why didn't you do it then?

12 A She said no.

13 Q Would she have gotten more aggravated?

14 A Yeah.

15 Q Have you seen her more aggravated than that?

16 A No, but I didn't want to see her.

17 Q Well, how do you know she could be more aggravated
18 than that then?

19 A From living with her all my life.

20 Q Well, if you've never seen her any more aggravated
21 than you saw her then, how do you know she could be
22 any more aggravated?

23 A I don't.

24 Q Okay. But you would agree with me if you had gone
25 out, the whole thing would have been taken care of?

1 A She wouldn't let me.

2 MR. McQUEENEY: Objection.

3 BY MR. PEACOCK:

4 Q Was she bigger than you?

5 MR. McQUEENEY: Objection. Let me make my
6 objection for the record. Objection. Only if he
7 knows.

8 MR. PEACOCK: Okay.

9 BY MR. PEACOCK:

10 Q Is your mother bigger than you? Can she stop you?

11 A No.

12 Q Okay. So you could have gone out and said, mom, I'm
13 going to go talk to this officer -- these officers
14 and calm this whole thing down; couldn't you?

15 A No.

16 Q You couldn't. Why couldn't you?

17 A Because she was there by the door and she was
18 saying, no, no, no, and I said okay.

19 Q The police officers are looking for you and your
20 mom's lying to the police officers saying you're not
21 there. She's becoming aggravated, stressful and you
22 could have alleviated all that by just going to the
23 door; is that fair?

24 MR. McQUEENEY: Objection. The objection is
25 form and foundation. If you can answer it.

1 BY MR. PEACOCK:

2 Q Is that fair, Victor?

3 A What?

4 Q You could have alleviated all that; couldn't you?

5 A If I knew they were going to come and jump on her, I
6 would have been at the door, but I didn't know that
7 either. So there's a lot of things I didn't know
8 that was going to happen.

9 Q Victor, you gotta answer my question. You could
10 have alleviated all of this if you had just gone to
11 the door. Is it fair to say that?

12 MR. McQUEENEY: Objection as to the form of
13 the question. He can't possibly predict a number of
14 people what their actions are going to be whether he
15 goes to the door or not.

16 BY MR. PEACOCK:

17 Q Well, Victor, they were looking for you; weren't
18 you?

19 MR. McQUEENEY: There was five people at the
20 door. Four police officers and a woman. I don't
21 know if he can make a conscious answer for that. If
22 you know.

23 BY MR. PEACOCK:

24 Q Victor, they were looking for you; weren't they?
25 That's who they were looking for.

1 A Yeah.

2 Q And you knew that, right? Didn't you?

3 A Yep.

4 Q Okay. You could hear it because there's audio
5 associated with the cameras; isn't there?

6 A Yes.

7 Q So you knew they were looking for you. Your mom
8 knew they were looking for you, but your mom went
9 ahead and told a lie, didn't she, to those officers?

10 A Yeah.

11 Q Do you have any idea or know why your mother would
12 say she's going to get a gun?

13 A She was influenced.

14 Q By what?

15 A By the verbal abuse.

16 Q How do you know that?

17 A Because I witnessed it.

18 Q But how do you know she was influenced by the verbal
19 communications between the officers and your mom?

20 A Because I viewed it.

21 Q Okay. But how do you know it influenced her?

22 A 'Cause of the tone of her voice. Her agitations.

23 Q What kind of gun does your mom have?

24 A She never had a gun.

25 Q Do you have a gun?

1 A Nope.

2 Q Is there a gun in the house?

3 A Nope.

4 Q Ever been a gun in the house?

5 A Nope, I don't believe in them.

6 Q So your mom not only lied about telling them that
7 you weren't there. She lied about having a gun. Is
8 that correct?

9 MR. McQUEENEY: Objection as to the form of
10 the question. If you know what your mother was
11 thinking at the time she made that statement.

12 MR. PEACOCK: Okay. Fair enough.

13 BY MR. PEACOCK:

14 Q Your mother told untruths to the Sterling Heights
15 Police Department and Clinton Township Police
16 Department when she said you weren't there and she
17 had a gun; isn't that true?

18 MR. McQUEENEY: Same objection.

19 BY MR. PEACOCK:

20 Q Isn't that true, Victor?

21 A I can't answer that.

22 Q Well, what do you mean? She said you weren't there.
23 Were you there?

24 A I was there.

25 Q Okay. She doesn't have a gun but she told them she

1 had a gun; didn't she?

2 A Yeah, but they told her a few things too like what
3 are you going to do.

4 Q I'm done with that. Now, your mom -- You're in the
5 bedroom, correct?

6 A Correct.

7 Q And the officers come in and your mom -- You come
8 out of your bedroom and your mom is on the ground;
9 is that correct?

10 A Correct.

11 Q In the living room?

12 A Correct.

13 Q You never saw how she got down there, right?

14 A No.

15 Q You don't know if she stumbled off the -- It's a
16 step-down living room; isn't it?

17 A No.

18 Q It's not a one-step down?

19 A No.

20 Q There's no step there?

21 A There's no step.

22 Q Okay. You don't know whether she tripped on
23 something or fell; do you?

24 A There's nothing there to trip on.

25 Q Well, you don't necessarily need anything to trip

1 on; do you? You can trip over your own two feet;
2 can't you?

3 A Yeah, she was pretty weak.

4 Q So you don't know how she got down there; is that
5 correct?

6 A No, I don't.

7 Q You could hear your mom, but you couldn't see what
8 her actions were doing until you came out of that
9 bedroom, right?

10 A Right.

11 Q Exhibit Three, which I think is that complaint you
12 filed in pro per when you -- the summons of
13 complaint against the Sterling Heights P.D. Do you
14 remember that?

15 A Correct.

16 Q You said you were angry about what happened to you;
17 is that correct?

18 A Correct.

19 Q What happened to you?

20 A I had a taser pointed at me.

21 Q Okay.

22 A In my own front room.

23 Q Okay. So you were angry about it?

24 A Yeah.

25 Q That's it?

1 A No.

2 Q What else?

3 A They were on top of my ma.

4 Q That's not what you said. You said what happened to
5 you. I want to know what happened to you.

6 A Also to me too.

7 Q It is?

8 A Yeah.

9 Q Fighting angry?

10 A Huh.

11 Q Fighting angry?

12 A No.

13 Q No. Controlled anger?

14 A Controlled anger.

15 Q But you never had them served, correct?

16 A Never had them served.

17 Q Did the anger dissipate?

18 A What do you mean dissipate?

19 Q Did it go away?

20 MR. McQUEENEY: Objection as to the form of
21 the question. What time frame are you looking for?

22 BY MR. PEACOCK:

23 Q Ever. You never served them with this complaint;
24 did you?

25 A No.

1 Q The Sterling Heights Police Department. So did you

2 --

3 A 'Cause I didn't do it right.

4 Q Did your anger just go away?

5 A No.

6 Q Okay.

7 A So I never served them because it was improper.

8 Q What was improper?

9 A The complaint. I didn't have everything stated on
10 there that I wanted to state.

11 Q And are you taking any kind of medication as a
12 result of the emotional trauma you sustained in this
13 incident?

14 A No.

15 Q You're treating with -- or your counseling with
16 Reverend Zeaven.

17 A Zeaven.

18 Q Zeaven. And I know you told Ms. McGrail that you've
19 counseled with him on numerous occasions. Did you
20 keep a log or a history of those treatments?

21 A No.

22 Q Do you know if the Reverend did?

23 A No, I don't think so. It was all verbal.

24 Q Did you have to set up an appointment to go see him
25 or did you just show up at the church?

1 A Show up at the church.

2 Q Okay.

3 A Or I'd call his cell phone. He gave me his cell
4 phone number. His personal cell phone number.

5 Q And that was to treat -- that was to counsel
6 regarding your mother's passing; is that correct?

7 A Correct.

8 Q How many times did you -- Rough estimate. How many
9 times did you counsel with him?

10 A I don't know. Many times.

11 Q Over a hundred?

12 A Maybe.

13 Q Do you still counsel with him?

14 A Not as much, but, yes, I do still counsel with him.

15 Q And how often do you counsel with him now?

16 A I try to go a couple times a month to church.

17 MS. McGRAIL BELAU: Can I step out for a
18 minute. Can we take a break.

19 MR. PEACOCK: Sure.

20 (Whereupon, there was a brief pause in the
21 proceedings.)

22 BY MR. PEACOCK:

23 Q Victor, Paul, I believe, Lutori.

24 A Yes.

25 Q Do you have his phone number in your phone --

1 A No.

2 Q And you don't know where he lives?

3 A No.

4 Q Or where he lived.

5 A He lived on Player Drive. He don't live there no
6 more.

7 Q Player Drive where?

8 A In Troy.

9 Q Okay. And do you know what he did for a living?

10 A Chrysler.

11 Q The assembly plant or something?

12 A Yeah.

13 Q Okay. Would you agree with me it's fair to say what
14 you see on that tape while you're in that room
15 sleeping -- Strike that. While you're in that room
16 the view that we have on the tape is the same view
17 that you had; is that correct? On your TV. On the
18 monitor.

19 A On the monitor?

20 Q Correct.

21 A It was a better view of the door and my mother was
22 the angle of that camera.

23 Q Was that recording? Was that the one recording?

24 A No.

25 Q No. Okay. You didn't see any actions of your mom

1 while she was talking to those officers; did you?

2 A Yeah, I did.

3 Q You saw all of her actions?

4 A Yeah.

5 Q Because your mom was pictured in your video screen.

6 A Yes.

7 Q And you don't have a tape of that.

8 A No, I don't.

9 Q Why not?

10 A I didn't think of it.

11 Q What do you mean you didn't think of it?

12 A I didn't think of recording that 'cause I knew the
13 one in the front room was recording it.

14 Q Is that the one you went on and turned on because
15 you realized it was off?

16 A Yes.

17 Q And when you realized that one was off, didn't you
18 check yours, the one in your room?

19 A No.

20 Q Why?

21 A I was just amazed at what was going on at the door.

22 Q No. No. An hour and a half earlier when you
23 realized that the tape wasn't on, you said -- you
24 testified that you went and turned it on to record.

25 A The one in the front room.

1 Q Why didn't you turn the one on in your room? Check
2 the one in your room.

3 A I didn't check it.

4 Q Huh.

5 A I didn't check it.

6 Q Are you sure it wasn't on and you just got rid of
7 that tape?

8 A No, it was not recording.

9 Q Okay. You said in your complaint that your mother
10 was forced to the floor. Do you remember reading
11 that in your complaint?

12 A Yes, that was her testimony.

13 Q You never saw that; did you?

14 A No, but that was her testimony.

15 Q To who?

16 A To me. We filed a complaint -- I mean I filed the
17 complaint, but it was based upon what she said and I
18 said on making the complaint.

19 Q You didn't see it; did you?

20 A I didn't see it, but the bruises on her arm and then
21 the way they acted --

22 Q You didn't see it. Isn't that fair, you didn't see
23 it? You didn't see how she got to the ground.

24 A I didn't see it.

25 Q All right.

1 A She told me how --

2 Q You've answered the question. Did you ever get any
3 money back from Paul for that meal that he ate for
4 you?

5 A No.

6 Q No.

7 A Thirty-three dollars.

8 Q Sure. You were pretty angry he didn't pay it;
9 weren't you?

10 A Yeah, I didn't talk to him anymore because of it. I
11 couldn't believe it.

12 Q And you're sure you told him --

13 A For thirty-three dollars.

14 Q And you're sure you told him he had to pay for
15 dinner?

16 A Yeah.

17 Q If there's testimony contrary to that, that's --
18 they're lying?

19 A Who's lying?

20 Q If there's testimony contrary to that, they're
21 lying?

22 MR. McQUEENEY: Objection. Do you have any
23 testimony to the contrary or?

24 BY MR. PEACOCK:

25 Q Victor, is that what you're telling us?

1 MR. McQUEENEY: Do you know?

2 THE WITNESS: What?

3 BY MR. PEACOCK:

4 Q If someone tells us -- If a bartender tells us that
5 you never said that to Paul, is he lying?

6 A The bartender?

7 Q Right.

8 A Sure he'd be lying 'cause I did say it.

9 Q Okay. That's all I have. Thank you.

10 MR. McQUEENEY: I have some follow up.

11 EXAMINATION

12 BY MR. McQUEENEY:

13 Q Do you know if the bartender overheard the
14 conversation you had with you and Paul for him to
15 pay?

16 A Probably not because the bar is so --

17 MR. PEACOCK: No. No. Do you know? The
18 question is do you know. Not probably.

19 THE WITNESS: Do I know?

20 BY MR. McQUEENEY:

21 Q Yeah.

22 A Yeah, I know.

23 Q Was he within earshot to overhear your conversation?

24 A No, he wasn't.

25 Q You testified in your response to Mr. Peacock's

1 question that your mother told you that she was
2 forced to the floor, right?

3 A Yes.

4 Q And that's what you put in that complaint --

5 A Yes.

6 Q -- you drafted by yourself. Have you had any legal
7 training?

8 A No.

9 Q Okay. And you were trying to fill out these
10 complaints. You had a complaint against Brian
11 Adams.

12 A Adams.

13 Q And the Notos.

14 A The Notos.

15 Q And the one against Sterling Heights. And those
16 were drafted by yourself, right?

17 A Yes.

18 Q Did you consult with an attorney?

19 A No.

20 Q Did you know what to put in a complaint?

21 A I did some web research on the web.

22 Q Okay. Is it fair to say you didn't know entirely
23 what you were doing?

24 A No, I didn't know exactly.

25 Q When the police -- You said you saw the police at

1 the front door and then they came in and you came
2 out of your bedroom and saw your mother on the
3 floor.

4 A Yes.

5 Q How quick was that?

6 A Within a second.

7 Q Okay. You weren't waiting in the bedroom for a long
8 period of time?

9 A No.

10 Q How far from your bedroom to where your mother was
11 on the floor did you have to come out?

12 A The bedroom door's around the corner. I probably
13 had to run 10 feet to see -- to see my mother on the
14 floor.

15 Q Okay.

16 A She was -- When I heard her scream, that was a
17 second.

18 Q Did your mother ever tell you she tripped and fell
19 on the floor?

20 A No.

21 Q When did she tell you that she was forced to the
22 floor?

23 A She told me when we talked about it at the hospital.

24 Q All right. You said that you were woken up by the
25 Clinton Township -- what you later learned was a

1 Clinton Township detective pounding at the door,
2 right?

3 A Yeah.

4 Q Okay.

5 A Yes.

6 Q Okay. Was he with anybody else?

7 A No.

8 Q And you said he was in plain clothes.

9 A Yes.

10 Q And you said you could see your mother's actions
11 from the monitor you were watching in the bedroom?

12 A Yes.

13 Q And what was she doing?

14 A She had the storm door open and I could see her hand
15 and her face. The hand holding the storm door open
16 'cause it was a full pane glass and they couldn't
17 hear her at first. They told her to open it. So
18 she opened it and she had her head out so they could
19 talk.

20 Q Have you ever looked at the video at any time other
21 than you were watching it on the monitor?

22 A Yeah.

23 Q Okay. Did you see where Detective Melise suggested
24 he's going to tow her vehicle?

25 A Yes.

1 Q Do you know why Detective Melise was going to tow
2 your mother's vehicle?

3 A No, he didn't state why. He just said he was going
4 to tow it.

5 Q Okay.

6 A As far as I can remember what the video says.

7 Q There were a number of questions asked by Mr.
8 Peacock about whether if you had come to the door,
9 this whole thing could have been averted. Do you
10 know what the cops were going to do if you had come
11 to the door?

12 A I had no idea.

13 Q Are you certain, as you sit here today, that if you
14 had gone to the door, this whole incident would have
15 been averted?

16 A No, I'm not certain. They could have done the same
17 thing to me that they did to my ma. I didn't think
18 they were going to do --

19 Q There is no question out.

20 A All right.

21 Q We've discussed this. You can only answer questions
22 that are being asked of you. When your mother came
23 to the door, was she using a cane or a walker?

24 A Yes.

25 Q How long has she used that?

1 A Twenty years.

2 Q Did she have it with her when she came to the door?

3 A Yes.

4 Q Okay. You said you took pictures of your mother's
5 injuries.

6 A Yes.

7 Q Did she tell you when you were talking about the
8 incident at the hospital what was bothering her?

9 A Yes.

10 Q What did she say?

11 A She said her back was bothering her and her head.

12 Q Now, you said that you came out to where your mother
13 was lying on the floor. Is that the living room
14 area? A family room?

15 A That's the start of the living room.

16 Q Okay. How far back from the door was your mother on
17 the floor?

18 A Two feet.

19 Q Two feet.

20 A Not even. One foot.

21 Q Okay. Do you know if the police officers conducted
22 a search of the residence to see if there were any
23 firearms in the residence?

24 A No.

25 Q And your mother wasn't apprehended on that day. She

1 was eventually let go to the hospital, right?

2 A Yes.

3 Q How many times did you tell the police officers that
4 you wanted your mother to go to a hospital?

5 A A dozen times.

6 Q You said you were treating with Reverend -- was it
7 Zeaven.

8 A Zeaven.

9 Q Zeaven. And that's following your mother's death?

10 A Yes.

11 Q Have you told him anything about the October 30
12 incident?

13 A Yes.

14 Q How many times did you tell him that?

15 A I told him like once or twice.

16 Q All right. Have you told anybody else -- Other
17 than your testimony and putting it in your
18 complaint, have you told other people about what
19 happened to your mother on October 30?

20 A I told a few people. It's a hard subject to talk
21 about.

22 Q All right. There was questions as to this videotape
23 that you had. There were two videotapes at the
24 Sterling Heights Police Department. One involving
25 the October 30 incident and the other one involving

1 Brian --

2 A Adams.

3 Q -- Adams. And you received one videotape, and that
4 was the October 30 incident? You received that on
5 the first occasion?

6 A I believe so. I don't know.

7 Q You don't know if you received it?

8 A I don't remember which one I received, but I
9 received both.

10 Q You received both. Okay. And did you do anything
11 to those videotapes after you received them?

12 A Nothing.

13 Q You said you received the tape back from Mr. Boyer.

14 A Yes.

15 Q Is that involving the October 30 incident?

16 A Yes.

17 Q Do you know if he did anything with the videotape?

18 A No, I don't know.

19 Q Do you believe he modified it?

20 A No, I doubt it.

21 Q Okay.

22 A 'Cause it was the same. From what I seen that day
23 that happened on the monitor it was the same.

24 Q Okay. There's a lot of discussion centered around
25 this dinner at this P.F. Chang's. What was your

1 intention on that evening when you left?

2 A What was my intention?

3 MR. KASZUBSKI: When he left P.F. Chang's or -

4 -

5 MR. McQUEENEY: Yeah. I'm sorry.

6 BY MR. McQUEENEY:

7 Q Yes, when you left P.F. Chang's.

8 A My intentions were to go home.

9 Q Okay. Was it your intention to not pay the bill?

10 A No.

11 Q You didn't want to do a dine and dash?

12 A Of course not.

13 Q You testified you had offered to Detective Melise to
14 pay the bill the next day.

15 A Yeah, when he was over at the house, I offered to
16 give him the thirty-three dollars.

17 Q How did you know that Paul didn't pay the thirty-
18 three dollars? Did Detective Melise tell you that?

19 A Detective Melise told me that the bill wasn't paid.
20 That's why he's over.

21 Q Okay.

22 A So, obviously, I figured that Paul didn't pay.

23 Q Okay.

24 A That he left himself.

25 Q And based upon the fact that Paul didn't pay and you

1 hadn't paid, he didn't place you under arrest,
2 right?

3 A No.

4 Q He said just go pay it.

5 A Right.

6 Q Okay.

7 A And I said I'll go pay it today later after the
8 hospital.

9 Q You testified you couldn't put a financial amount on
10 your damages, but have you been damaged?

11 A Yes.

12 Q And have you ever been asked to sit down and
13 quantify your damages by anyone?

14 A No.

15 Q You believe your mother has been damaged?

16 A Yes.

17 Q No further questions.

18 REEXAMINATION

19 BY MS. McGRAIL BELAU:

20 Q Mr. Gojcaj, how do you think Lutori's spelt?

21 A L-o-t-o-r.

22 Q t-o-r.

23 A i.

24 Q i. You said he worked at Chrysler?

25 A Yeah.

1 Q Do you know approximately how old he is?

2 A He's thirty-four.

3 Q Thirty-four now or was he thirty-four at the time?

4 A Was thirty-four at the time.

5 Q Do you know what his birthday is?

6 A No.

7 Q How did you know him?

8 A Just through other people I met him.

9 Q Who did you know him through?

10 A Mario -- Well, Thomas Cooper. He changed his name
11 after to Mario.

12 Q Thomas Cooper.

13 A Yeah.

14 Q Do you have Thomas's phone number?

15 A No, I haven't talked to him in a long time. Many
16 years.

17 Q Who is Mario?

18 A Huh.

19 Q Who is Mario?

20 A Mario is Thomas. He changed his name to Mario.

21 Q Okay.

22 A I don't know what the last name was changed to.

23 Q Okay.

24 A I don't have his number. It's been years.

25 Q Okay. Anyone else know Paul?

1 A That I know? No.

2 Q Does Paul have any other hangouts or places of
3 retail?

4 MR. McQUEENEY: Objection as to the form of
5 the question. Only if you know. Do you know?

6 THE WITNESS: No, not really. I mean he hung
7 out at -- we used to go sometimes where I'd see him
8 -- I wouldn't go with him. I'd see him at Hamlin on
9 22 Mile and Hayes once in a while and I don't know
10 where else I'd see him at.

11 BY MS. McGRAIL BELAU:

12 Q Was he kind of a regular up there?

13 MR. McQUEENEY: Objection as to --

14 BY MS. McGRAIL BELAU:

15 Q If you know.

16 A He was. I don't know about now 'cause I haven't
17 been up there. I don't really do anything anymore.

18 Q You said Paul Lutori.

19 A Yeah.

20 Q And you're not sure of the spelling or you are sure
21 of the spelling?

22 A I'm not sure of the spelling, but it should be real
23 close.

24 Q Do you know what he did at Chrysler?

25 A No, I don't know.

1 Q And you said he used to live on Player Drive in
2 Troy?

3 A Yes.

4 Q And you're not sure if he still lives there or he --

5 A He doesn't live there no more. He did move, but I
6 don't know where he -- Oh, he moved to Dearborn, but
7 I don't know his address.

8 Q When did he move to Dearborn?

9 A Because he was close to work. He worked at the
10 Chrysler in Dearborn.

11 Q What did he do at Chrysler?

12 A I don't know.

13 Q Okay.

14 A I don't remember.

15 Q All right. Nothing further.

16 REEXAMINATION

17 BY MR. PEACOCK:

18 Q Victor, briefly. You testified that in your
19 response to Mr. McQueeney that you could have had
20 the same thing done to you that was done to your
21 mom. Do you remember saying that?

22 A Yes.

23 Q You had mentioned you did speak to Detective Melise;
24 didn't you?

25 A Yes.

1 Q On the front lawn of your house.

2 A Yes.

3 Q And he asked you what was going on about the
4 payment, right?

5 A Yes.

6 Q In fact, he asked you why you didn't pay for the
7 meal and you said 'cause your next door neighbor was
8 there, right?

9 A Well, I don't remember if it was my next door
10 neighbor or the Notos. I was suing them both.

11 Q But you never told Detective Melise that you said
12 Paul was going to pay for the meal; did you?

13 A No. No, I never said that.

14 Q Why didn't you tell him that? Wouldn't you say it's
15 important?

16 A Well, I didn't think it was important.

17 Q You didn't think it was important?

18 A I didn't think it was important. He asked me why I
19 left. I told him why I left. He didn't say why you
20 didn't pay the bill.

21 Q Didn't he tell you that the meal at P.F. Chang's
22 hadn't been paid?

23 A Well, after what happened to my mother --

24 Q No, listen to my question. Didn't Officer Melise
25 tell you that the meal at P.F. Chang's had not been

1 paid for?

2 A Yes.

3 Q And he asked you why you didn't pay for it; didn't
4 he?

5 A Yes.

6 Q Why didn't you tell him then that Paul was going to
7 pay for it?

8 A After what happened to my mother --

9 Q Why didn't you tell him --

10 A I don't know.

11 Q Okay. So you had a conversation with Officer Melise
12 and then he let you go; didn't he?

13 A Yeah.

14 Q He didn't arrest you.

15 A Nope.

16 Q He said well, just take of the bill; didn't he?

17 A Right.

18 Q So he treated you like a gentleman; didn't he?

19 A No, he didn't treat me like a gentleman.

20 Q Why didn't he treat you like a gentleman?

21 A 'Cause he was talking to me very ruggedly.

22 Q Did that hurt your feelings?

23 A Yes.

24 Q Okay. That's all I have. Thanks.

25 REEXAMINATION

1 BY MR. McQUEENEY:

2 Q And in follow up to Mr. Peacock's question about the
3 P.F. Chang's thirty-three dollar tab. When you were
4 talking to Detective Melise, was that more prevalent
5 in your mind, the thirty-three dollar P.F. Chang's
6 bill or was it what was going on with your mother,
7 was that more prevalent?

8 A What was going on with my mother.

9 Q Okay. Was she on her way to the hospital when you -
10 -

11 A Yes.

12 Q Okay.

13 A They had loaded her up into the ambulance and I
14 wanted to leave behind the ambulance.

15 Q What was more important to you at that very
16 instance?

17 A Being close to my ma.

18 Q Nothing else.

19 MS. McGRAIL BELAU: Nothing further.

20 (Whereupon, the deposition was concluded at
21 about 3:25 p.m.)

22

23

24

25

CERTIFICATE

STATE OF MICHIGAN

COUNTY OF MACOMB

I, Jan Flynn, C.E.R. and Notary Public in
and for the County of Macomb, State of Michigan, do hereby certify
that the witness whose attached deposition was taken before me on the
date hereinbefore stated, was first duly sworn by the Notary Public
to testify the truth, the whole truth and nothing but the truth in
the cause aforesaid; that the testimony contained in said deposition
then given by said witness was by me reduced to writing in the
presence of said witness by means of shorthand and afterwards
transcribed upon a computer by myself. The said deposition is a true
and correct transcript of the testimony given by said witness as
aforesaid.

I do further certify that the deposition herein
attached was taken at the time and place mentioned and described in the
caption of said deposition.

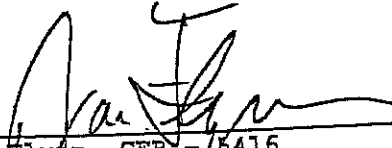
I do further certify that no request was made by
any party for the witness' signature to be attached to said deposition.

I do further certify that the parties were
represented by counsel as hereinbefore designated.

I do further certify that I am not connected by
blood or marriage with any of the parties or their attorneys or agents
and that I am not an employee of either of them, nor interested

1 directly or indirectly in the matters of controversy either as counsel,
2 agent or otherwise.

3 I do further certify that my certificate annexed
4 hereto implies to the original and typewritten copies only, signed
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6 responsibility for the accuracy of any reproduced copies not made
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10 
11 Jan Flynn, CER - 5416
12 Notary Public, Macomb County
13 My Commission Expires: 09-29-2013

14 DATED: _____, 2010
15 Mt. Clemens, Michigan
16
17
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